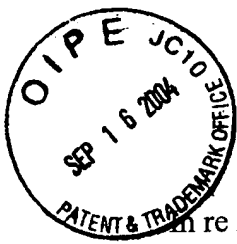


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PATENT  
5681-43100

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Phelps et al.

Serial No.: 10/007,625

Filed: November 2, 2001

For: DESIGN VERIFICATION

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Group Art Unit: 2651  
Examiner: Unknown

Atty. Dkt. No. 5681-43100

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| I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below: |               |
| B. Noel Kivlin<br>Registered Representative   |               |
| 9.14.04<br>Date   | <br>Signature |

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant requests consideration of ☒ the references listed on the attached Form PTO-1449 and/or ☐ the additional information identified below in paragraph 3.

- ☒ A copy of each reference listed on the Form PTO-1449 is enclosed.
- ☐ The references listed on the Form PTO-1449 were previously cited in application serial no. \_\_\_\_\_ to which the captioned application is seeking priority under 35 U.S.C. §120; therefore, a copy of each reference is not enclosed.
- ☐ The captioned application was filed after June 30, 2003; therefore, a copy of each reference is not enclosed.

1. This Information Disclosure Statement is submitted:

- a. ☐ within 3 months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
- ☐ within 3 months of the date of entry of the national stage as set forth in § 1.491 in an International application;
- ☒ before the mailing date of a first Office Action on the merits; or
- ☐ before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

- b. ☐ after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus: ☐ the certification of paragraph 2 below is provided, or ☐ a fee of \$180.00 is enclosed.
- c. ☐ after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus: the certification of paragraph 2 below is provided and a fee of \$180.00 is enclosed.
2. It is hereby certified:
- ☐ that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
- ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in § 1.56 (c) more than three months prior to the filing of the Statement.
3. ☐ Consideration of the following additional information (including any co-pending or abandoned U.S. applications, prior uses and/or sales, etc.) is requested:
4. For each non-English language reference listed on the attached Form PTO-1449:
- ☐ reference is made to an English language translation submitted herewith, and/or
- ☐ reference is made to a foreign patent office search report (in the English language) submitted herewith, and/or
- ☐ reference is made to an English language translation of a foreign patent office search report submitted herewith, and/or
- ☐ reference is made to the concise explanation contained in the specification of the present application at page(s) \_\_\_\_\_, and/or
- ☐ reference is made to the concise explanation set forth below:
5. ☐ Applicant also offers the following comments for the Examiner's consideration:
6. ☐ Also enclosed is a copy of a foreign search report citing these references.
7. ☐ The listed documents were brought to the attention of the Applicant(s) after payment of the issue fee in the captioned case. The documents were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure

Statement. Applicant(s) request this Information Disclosure Statement and attached Form PTO-1449 be placed in the file of the captioned application.

8. ☐ Applicant(s) requests that the Information Disclosure Statement and attached Form PTO-1449 and references, which are being filed before the grant of the patent and pursuant to 37 C.F.R. § 1.97(i), be placed in the file of the captioned application.

If any required fees are missing, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 50-1505/5681-43100/BNK.

Respectfully submitted,



B. Noël Kivlin  
Reg. No. 33,929  
Attorney for Applicant(s)

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KOWERT & GOETZEL, P.C.  
P. O. Box 398  
Austin, Texas 78767  
(512) 853-8800  
Date: 9.14.04

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| <b>Form PTO-1449</b> (modified)<br>List of Patents and Publications<br>For Applicant's Information<br>Disclosure Statement<br>(Use several sheets if necessary) | ATTY. DKT. NO. 5681-43100<br><br>APPLICANT: Phelps et al.<br><br>FILING DATE: November 2, 2001 | SERIAL NO. 10/007,625<br><br>GROUP: 2651 |
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**U.S. PATENT DOCUMENTS**

| EXAM.<br>INITIALS | REF.<br>DES. | DOCUMENT NUMBER | DATE       | NAME           | CLASS | SUB<br>CLASS | FILING DATE<br>APPROPRIAT |
|-------------------|--------------|-----------------|------------|----------------|-------|--------------|---------------------------|
|                   | A1           | 6,285,974       | 09/04/2001 | Mandyam et al. |       |              |                           |
|                   |              |                 |            |                |       |              |                           |
|                   |              |                 |            |                |       |              |                           |
|                   |              |                 |            |                |       |              |                           |
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|                   |              |                 |            |                |       |              |                           |

**FOREIGN PATENT DOCUMENTS**

| EXAM.<br>INITIALS | REF.<br>DES. | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB<br>CLASS | TRANSLATIO<br>YES/NO |
|-------------------|--------------|-----------------|------|---------|-------|--------------|----------------------|
|                   |              |                 |      |         |       |              |                      |
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|                   |              |                 |      |         |       |              |                      |

**OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

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EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.